

Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
915 Administrative Building
June 14, 1998
9:30 a.m.

Closed Session: Personnel

Council Present: Barry Laughlin, Frank Ettawageshik, George Anthony, Alice Yellowbank, Rita Shananaquet

Staff Present: Susan Keller, Marcia Sutton, Dora Willis

Grievant: Laura Lonchar

Marc Cross presented Council with the process of the way the grievance is going to be handled. Shirley Oldman questioned if all of Council would hear this grievance or are certain individuals conflicted out. Barry Laughlin stated that they have all heard some portion of this so they will all hear it. George Anthony questioned on whether this is a yes or no decision, or is there room for offering compromise. Marc Cross stated that this is not a court hearing, that the governmental body can hear it. Rita Shananaquet stated that none of council should be hearing this because they have all heard this and are conflicted out. Discussion ensued, council maintained that they would hear this grievance.

The grievant was instructed on how the grievant process would go. They offered grievant to speak first or second and stated Council would then review separately and would receive a response in 5 days. G stated that this is the first time she has been through this. G thanked Council for hearing this, and stated that they were not prepared very well. They had to set this aside because it was effecting G's family. Stated what they tell is the truth, express feelings, explain what they experienced. Honestly state that G did not belong to a certain click, and refused to do this. Housing Director should have had a grievance filed against them. Would go to Education Director with concerns and response was shocking. Person would state, "Use your head". HD would not allow training. Stated HD stated "You do as _____ tells you. Talked with Marcia who stated to file a grievance. Had no support from the beginning, just there were some people ... before came to tribe worked for MIEPS, came to tribe believed in what G was doing. MIEPS were understaffed with limited funds. Sought other organizations to help with our people's needs. When came on here it seems that received very little cooperation or assistance. Would not try to speak, would try to make friendly conversation, people were outwardly rude. Could go on and on and on a lot of things I say are shocking. Employee relations are terrible. Bottom line was jealousy. A problem we have to overcome, these petty jealousies. Is a big problem, do not think we will move forward.

Rita Shananaquet asked grievant if paperwork that contained charges were with G. G stated did not know if they had them with them, but stated they were for making a public statement. G asked if the folks seen the original grievance. Chairman Ettawageshik stated that hearing need to stick to the original charges in grievance.

Shirley Oldman stated she would like to hear from G the incidents that took place. Gerge Anthony stated he needs to see what is in the original grievance for discussion.

Marc Cross handed out the original charges to Tribal Council for review.

RS questioned violation of making public statement. April 3 incident occurred working at 1150. 2 phone calls, (KH) J was at 915 looking for G, in original office which was housing Told he was very intoxicated, stated police were coming. G stated he is in the best hands. Called Marcia, there was no answer. . 2nd phone asked if was G. J (doesn't know who call was from maybe Tom & Dicks), asked name if if new J. Told there was noting G could do Police were there they could handle it. Was very upset. Call to Marcia was to take time off and see if G could take care of it, but police were there nothing to do. KH stated police were there and G thought this was the best way to handle situation. Rec's 3rd call from 911 dispatch, specifically what they asked, they did not ask for LTBB police department. Very upset thought 911 was very upset thought this could mean ambulance purchased the tape, who do you want to talk to LTBB police department? They asked if G knew J. Stated they have a problem w/J on corner of Emmet and Washington. They did not ask for LTBB police. Position at this time was receptionist. Main duties was to answer phones and transfer calls. G stated that they are very nervous. Would like Council to listen to the tape. Council listened to tape.

G stated that the charges in termination doesn't know ... Personal matter, was very upset. There were at hand, they were there, he needed help. J has a serious alcohol problem, treated for alcohol poisoning. G did not want the tribe involved. If something had happened with J was concerned w AC ridind him around. Stated AC should not have involved themselves. Ritgaht after call from police departmetn asked G to coem an pick up the mail cause she (Marcia) was busy. Stated that is when G spoke w/AC.

Shirley Oldman questioned if G thought the call should go to police department. G asked? G wold have given to to police department. Did not contact LTBB police department until later.

Does not allow alcohol in home or around children and would not have taken J to G home.

Barry Laughlin stated background informaiton may not be necessary but establishing the charges is what we are here for.

G stated that if asked would have given the call to LTBB police, but took upon self ... J needed immediate attention and was in the best care.

G. Anthony questioned address and asked where that was at. All addresses are different in police reports.

G Anthony asked did have idea of what the tribal policy was and if an intoxicated native american, and does LTBB have a policy in place to handle this isf asked for help.

Was never told of tpolicy, knows of substance abuse program, jail cell, detx. J was endangering self, LTBB was needed help.

G received very little help, asked for phone guide one time, sat in for MS from accounting, but received very little assistance, MS stated would train her. Found a box under desk with things that G were told were theirs and in there was a phone guide. Received very little assistance.

RECESS: 2 minutes 10:34

Called back at 10:40

Administration Information

Dora Willis stated at the very onset of this had day off on 3rd. Returned to office. Was advised by AC and MS advised of situation. Busy gathering the information that came in. On Tuesday talked w/FW and

talked with MS and was advised that better get other information regarding the 911 call itself. Called MM and asked if was advised of incident on the 3rd. MM had no information, instructed MM to gather 911 log. Contacted city of police and talked with officer. Got tape and log itself of the call. Asked Mm to get to DW in written form. Based on that report and the other coversations had with other staff, met with G supervisor, MS and with FW and advised of info received. FW took informaton and called personnel committee and advised them of situation. Based on that, the letter of termination was written and MS and DW went to 1150 and called G into office, gave copy of letter, MS outlined the incidents up to that point.

A Yellowbank after talked with differnet staff, who did the decision turn over to, the personnel committee? There was a differencing of opinion of what should occur between all people involved in the decision. FW, MS, and DW.

GA asked if all personnel committee was involved was given to FW who gave to all personnel committee. Was a recommendation by MS and DW and given to personnel committee. SO, BL, were informed by FW of information, MS, DW, went to FW, with decision to terminate. FW took this to personnel committee, and returned a day or so later to get information back to DW. DW showed report from MM with information contained from dispatch.

ON was it determined that G made a statement on jurisdiction of tribe. This was from the information received from city of police. Checked with MM for feedback on the situation. Council reviewed MM written report.

FW stated there is another document. A report from the City of Police. MS gave this information to DW who copied it for Tribal Council.

FW stated it is important to state what steps were taken to come to this decision. DW stated was informed by MS of what had evolved. Called AC questioned him. Wanted to see in office to get information. Called TN to see if placed 911 call. Questioned what AC was doing. Why wasn't our law enforcement department involved. AC was reprimanded for becoming involved in this situation. Doesn't matter if AC was on own time. Was not in uniform. Relayed infor to MM who talked to AC. Called DW back and relayed information. Asked MM to contact city police for log. MM stated there would be a tape. Relayed informaton on Wed. Listened to tape, was busy on law enforcement number first call other time went to G. MM relayed to DW conversation to city police, document and give written report to DW, would like the log. MM kept copies, and gave written report to DW.

MS stated she did repeately tell G how to use the phones. MS was asked repeatedly to take phone calls. When discussed with with G by MS G stated it was a personnel matter and was handled by themselves.

Decision was made to terminate on Tuesday the 4th by MS and DW after report was received from MM. No action was taken until the personnel committee reviewed information and held conference call and reached decision to uphold termination.

G Anthony asked if there is a policy where a native amercian is drunk on a public street and city police call LTBB police and took immediate action, is there a policy to handle intoxicated native americans.

B Laughlin believes there is a policy but the issue is if this call got to the law enforcement.

Is it a statement that no employee speak publicly for the tribe. Does it say suspension, reprimanded,

Would have to review personnel policy. George Antyony there is half of a statement in here an should have been in there.

Grievant Rebuttal

G stated in response to MM. G went to 1150 building, right to MM and explained to him what went on. Ddid not say to MM, "I think I messed up". Talked about J and safety and asked MM to check. Date of purchasing the tape from 911. Got first tape. J said the only thing didn't remember was going someplace and AC changing his clothes. City of Police did not write a police report. Spokje with several officers with several different stories. One police officer stated AC in plain clothes in conservation truck, another says no, was in uniform, another says no AC was in van. Stated Don Naganashe's wife who works for police department stated you cannot go by police reports.

G spoke to B Laughlin and you told G to get information into Council and that B made deicison to terminate G. G called B to spend the time to get the letter in. G needed an extension to get the grievance in. B told G did not have authority to do that, and even if he did he would not because you cannot do it for one and not the other. G then asked for stated is filing a grievance against DW and BL stated to give the grievance to MS and deliver in a sealed envelop have MS to receive so it would be on time. Continously paged me throughout the day. BL did not know who the call was from and it was at the MIEPS office. G stated that FW told G to get information to Tribal Council where it would be heard. G stated that BL stated he would be at 915 and meet with G. BL stated no. I stated I would pick up the letter, but not meet with her.

G stated BL was to forward these on to Tribal Council upon receipt. BL stated he would receive them and if Tribal Council was going to here this, he has the documents and they will see it.

G stated MS did not state they had made a jurisdictional statement. G stated her sadness that G was not able to speak their side of it. Everyone else was, but not G. Would have liked that opporutnity.

S Oldman stated when received that phone call at that time when they were asking who they should talk to ask who they should talk to this about. Did you feel this was personnel or tribal business call. No who do you want to talk to. J. needed help, immediate attention. G did not think this was not a personal call but considers it a personal issue that needed ot be addressed immediately.

George Anthony stated you have been here before the Tribal Council. Do you feel you had adequate time to express yourself, has it accomplished what you anted.

Would not be here today if G was gven an opportunity to state their side. Feels could be a waste of time.

Administration Rebuttal

MS added that G did not make statement about jurisdiction. Stated did make this statement and it was a personal call and had asked for G specifically.

George Anthony requested DW and MS to stay for a question. G. Anthony asked if AC if he was on payroll when this happened. Stated AC was on comp time and just happened to come to this office when all this happened. Asked if AC had a tribal vehicle or was in uniform and statement was no.

Motion was made by _____ and was **Seconded** by _____ to _____
Vote: _ YES _ NO _ ABSTAINED **Motion Carried**